



ENDOLOGIX CP7C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Samuel M. Shaolian et al.	)	Group Art Unit: 3738
			)	
Appl. No.	:	10/764,991	)	
			)	
Filed	:	January 26, 2004	)	
			)	
For	:	IMPLANTABLE VASCULAR	)	
		GRAFT	)	
			)	
Examiner	:	Hieu Phan	)	
			)	

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

*Right of Assignee and Ownership*

Petitioner, Endologix Inc., a Delaware corporation, certifies that it is the assignee and sole owner of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor. Petitioner also certifies that it is the assignee and sole owner of the entire right, title and interest in U.S. Patent No. 6,733,523 (the '523 patent), by virtue of an assignment from the inventor. A copy of the assignment of both the present application and the '523 patent is recorded at Reel 012279/Frame 0768.

*Disclaimer by Assignee*

Pursuant to 37 C.F.R. 1.321(b), Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned application that would extend beyond the expiration date of the full statutory term of the '523 patent. Petitioner hereby agrees that a patent so granted on the above-captioned application will be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to the '523 patent. This agreement extends to the patent

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Appl. No. : 10/764,991  
Filed : January 26, 2004

granted on the above-captioned application and will be binding on Petitioner's successors and assigns.

Petitioner does not disclaim any terminal part of a patent granted on the above-captioned application before the expiration date of the full statutory term of the '523 patent, in the event that the '523 patent later: expires for failure to pay maintenance fees; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term.

This Terminal Disclaimer is accompanied by the fee set forth in 37 C.F.R. § 1.20(d).

*Empowerment of Attorney*

Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on behalf of the Petitioner, by virtue of a Power of Attorney executed on October 12, 2001, a copy of which is attached.

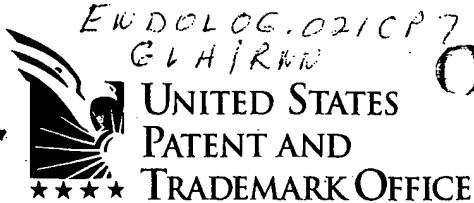
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 14, 2005

By: 

Rabinder N. Narula  
Registration No. 53,371  
Attorney of Record  
2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
(949) 760-0404



COPY

JANUARY 07, 2002

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/29/2001

REEL/FRAME: 012279/0738  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SHAOLIAN, SAMUEL M.

DOC DATE: 10/11/2001

ASSIGNOR:  
ZENG, FRANK M.

DOC DATE: 10/11/2001

ASSIGNEE:  
ENDOLOGIX, INC.  
13700 ALTON PARKWAY  
SUITE 160  
IRVINE, CALIFORNIA 92618

SERIAL NUMBER: 09891620  
PATENT NUMBER:

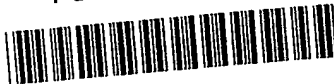
FILING DATE: 06/26/2001  
ISSUE DATE:

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

10-29-2001

SHEET

10-29-01



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attached original documents or copy thereof.

COPY

TO THE ASSISTANT COMMISSIONER

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1. Samuel M. Shaolian
2. Frank M. Zeng

Additional name(s) of conveying party(ies) attached?  
( ) Yes (X) No

2. Name and address of receiving party(ies):

Name: ENDOLOGIX, INC  
 Address: 13700 Alton Parkway, Suite 160  
 City: Irvine State: CA ZIP: 92618

Additional name(s) of receiving party(ies) attached?  
( ) Yes (X) No

3. Nature of conveyance:

- (X) Assignment  
 ( ) Merger  
 ( ) Security Agreement  
 ( ) Change of Name  
 ( ) Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) 1. October 11, 2001, 2. October 11, 2001

4. Application number(s) or Patent number(s):

- ( ) Application(s) filed herewith Execution Date(s):  
 (X) Patent Application No.: 09/891,620  
 Filing Date: June 26, 2001  
 ( ) Patent No.:  
 Issue Date:

Additional numbers attached? ( ) Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gerard von Hoffmann  
 KNOBBE, MARTENS, OLSON & BEAR, LLP  
 Customer No. 20,995  
 Internal Address: Sixteenth Floor  
 Street Address: 620 Newport Center Drive  
 City: Newport Beach State: CA ZIP: 92660  
 Attorney's Docket No.: ENDOLOG.021CP7

7. Total fee (37 CFR 1.21(h)): \$40

- (X) Enclosed  
 ( ) Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Gerard von Hoffmann  
 Name of Person Signing

Signature

Date

33,043

Registration No.

Total number of pages including cover sheet, attachments and document: 3

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office  
 Attn: Assignment Division  
 Crystal Gateway-4  
 1213 Jefferson Davis Highway, Suite 320  
 Arlington, VA 22202

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Application No.: 09/891,620  
Filing Date: June 26, 2001

PATENT  
Client Code: ENDOLOG.021CP7  
Page 1

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ASSIGNMENT

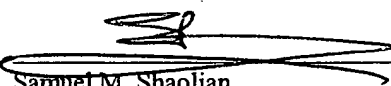
WHEREAS, We, Samuel M. Shaolian, a US citizen, residing at 2315 Arbutus, Newport Beach, CA 92660, and Frank M. Zeng, a China citizen, residing at 24 Lakeshore, Irvine, CA 92614, have invented certain new and useful improvements in a IMPLANTABLE VASCULAR GRAFT for which we have filed an application for Letters Patent in the United States, Application No. 09/891,620, filed on June 26, 2001;

AND WHEREAS, ENDOLOGIX, INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 13700 Alton Parkway, Suite 160, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of Oct, 2001

  
Samuel M. Shaolian

STATE OF Calif

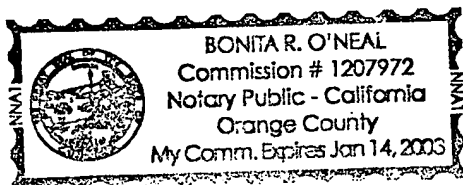
COUNTY OF Orange

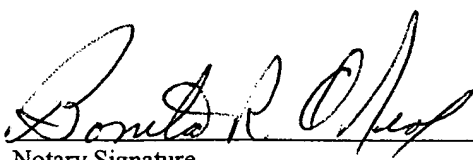
ss.

On 10-11-01, before me, Bonita R O'Neal, personally appeared Samuel M. Shaolian personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

Application No.: 09/891,620  
Filing Date: June 26, 2001

PATENT  
Client Code: ENDOLOG.021CP7  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11<sup>th</sup> day of October, 2001

Frank M. Zeng  
Frank M. Zeng

STATE OF

COUNTY OF

SS.

On Oct 11, 2001, before me, Kenneth Chan, personally appeared Frank M. Zeng ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(~~ies~~), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

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